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7. *Capital, court and chief's village*

634 We have spoken of the headquarters of the county segment as the capital of the county, and this is in accord with vernacular usage. Although each chief is head of his county segment, no chief lives in his capital village. Each has made his segment and set up a village of his own. This process continues with each successive chief, each making his own new village. When brick buildings [344] were made during the 1930s to house the newly recognized Native Courts, these were located near the villages of the reigning chiefs. Some of these are still in office, while others have died and their successors live in their new villages, some of which are as much as two miles away from the court. There are thus in some counties three foci of political interest. There is the capital village, the court, and the chief's village. Associated with each centre are different leaders and different activities. The capital village provides a link with the past, and in particular with that moment in the past at which the segment was founded. The Paramount Chief [643] retains special rights in his capital village and can make a garden for one year on the old site of his county capital whenever it moves to a new one. Most, if not all, capital villages are larger than the average village but the senior lieutenants of the county segments do not live in them, for like the chiefs, they have made their own villages. Nevertheless, the lieutenants who do live in the capital [554] are regarded as people of considerable importance in the county. Meetings are sometimes held in the capital but more frequently at the county court or in the chief's village. The court is the home of 692 the Native Authority, and it is there that the affairs of the Adminis- 648 tration are discussed. An incident well illustrates the association of 634 the court with the Administration. I once called at the house of a 647 county chief who had not previously met me. He insisted that I should go to the court to meet him there, as that was where he always met Administrative officials. County meetings are called at the court to discuss matters raised by the Administration in its letters to chiefs, and to formulate requests and complaints for transmission to the Administration. The court clerk, the Native Authority councillors, assessors, and messengers are much in evidence, while the traditional advisers of the chief, his senior lieutenants, may be in the background even if they are not silent. Meetings of this kind are usually called by county chiefs, but occasionally a meeting may be held open to the whole tribe. I have described elsewhere the procedure at a county meeting.[22]

[22] Barnes, 'Political development', pp. 107-9.

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687 kind are referred to the Administration, it may sometimes act in the
648 way desired by the chief and his lieutenants. Thus a chief once discovered his wife in bed with a lover. The man was eventually caught, and there were some who urged that he be hanged right away, for no one would tell the Administration about the matter. However, more cautious counsels prevailed, the incident was [684] referred to the Administration, and the man was sentenced, in accordance with the wishes of the chiefs and their lieutenants, to three months' imprisonment. On his release, he was escorted from Ngoniland by a chief. Later the man returned, only to be driven out again. The Administration is concerned with upholding the [696] position of chiefs, and in situations of this kind may regard, say, adultery with a chief's wife as more heinous that with a commoner's wife. On the other hand, the Administration cannot be relied on to give its support automatically, and for this reason chiefs and lieutenants may decide to act without reference to it. The Administration has even on occasion awarded damages to a commoner against the Paramount Chief.

It is perhaps significant that a minor chief whose county con-
634 tained a comparatively large number of villages from the segments of other counties and whose claims to the county chieftainship was disputed decided to hold a meeting to discuss county affairs not at his court or at his village but at the capital of the county. He may have hoped to quell dissension by emphasizing the links with the pre-conquest past shared by the majority of his people.

Now that chiefs and others have begun building in burnt
● 344 brick, it may be that newly acceded chiefs may not find it so easy
182 to found their own villages. At the same time the policy of building
361 other public buildings in brick, such as treasuries and the proposed welfare halls, in the vicinity of existing courts, may give increased importance to the Native Authority centre. Already there have been one or two attempts at opening shops near the courts to cater for the needs of litigants, and it seems likely that the effective social centre of the county will in future be the site of the Native Authority rather than the capital village or the home of the chief.

8. *Politics and the courts*

The day-to-day work of the court takes up much of the time of
692 chiefs, assessors, and senior lieutenants of the chief. General discussion of Ngoni law lies outside the particular theme of this book, but we are here concerned with the courts in so far as they form part of the political system of the tribe. That there is a close connexion

1:Barnes E-5 (1946-1949) 1954 FR5 Ngoni FR5
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PLATE X. Thatching a school roof. The county chief has told men from nearby villages to do this work.

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PLATE XI. A mobile post office halted near a county court.

[Facing p. 168]

2: Read E-5 (1935-1939) 1956
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and the circular court-house in a commanding position on a small hill with a big open space all round it.

There were several places in this village which were referred to as the *bwalo*: they included the open space within the reed fence of the Paramount's section, the much larger open and unfenced space round the court-house, and the more restricted spaces round the huts of the *induna* and of the headman. The meaning of the term *bwalo* was always slightly ambiguous in this village since it was often used for the verandah of the royal residence, as well as the open space in front of it. The central Ngoni custom of surrounding the huts of important men and women with high reed fences with a narrow opening, made it easy to say '*ali pa bwalo*', 'he is on the *bwalo*', so that it covered either the verandah of the hut or the space inside the fence. The local usage of *bwalo* by the Cewa people more often denoted the open space in the middle of the village where the men congregated to sit and talk and drink beer.[1] The connotation of *bwalo* in Ngoni villages in the central kingdom was usually in terms of the big house and the space in front of it within the fence.

In Maganga the place to which the name *bwalo* was most often applied was the space within the reed fence surrounding the Paramount's large brick residence and the outbuildings. When I lived in one of the outbuildings at the back of the house, I was said to be living *pa bwalo*; and it was also alluded to as *pa cigodlo*, that is in the enclosure where the Paramount's children lived behind the big house. His daughter's hut was in this section, on the north side, and beyond her hut was that of the *mlomo wenkosi*, who was also the Paramount's brother-in-law, since he had married the Paramount's sister and was the brother of the Paramount's wife. In the other buildings within the reed fence lived several servants of the household, and at the kitchen end of the brick house lived the girls who assisted the Paramount's wife with cooking and looking after her younger children.

When the Paramount built his court-house, he built some offices as part of it for himself, his *mlomo wenkosi*, his treasurer and the court clerk. The intention had been that official business would be carried out there, and relieve the big house of some of its many callers, and also ensure some measure of privacy for those who lived there. It proved very difficult to achieve this separation of public and private affairs, since the tradition that the Paramount was accessible to all his people at all times was persistent.

The entrance to the enclosure or *bwalo* of the big house was guarded in the traditional manner. If strangers (and all visitors were called *alendo* or strangers) arrived on the side road leading off the main road, they inquired from one of the huts there if the headman was present and waited till he arrived. The headman then went to tell the *induna* or the *mlomo wenkosi* that strangers had come, while they waited till the reply

[1] Scott, D. C. *Mang'anja Dictionary*. Edinburgh, 1892.